

ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 68B.32A, the Iowa Ethics and Campaign Disclosure Board hereby gives Notice of Intended Action to amend Chapter 9, "Complaint, Investigation, and Resolution Procedures," Iowa Administrative Code.

The proposed amendment clarifies that one of the remedial actions the Board may impose pursuant to Iowa Code section 68B.32D after a hearing and a finding of a violation is the assessment of costs related to the holding of the hearing.

The proposed amendment does not contain a waiver provision; however, any Board action after a hearing is subject to appeal and judicial review.

Any interested person may make written comments on the proposed amendment on or before June 23, 2009. Comments should be directed to Charlie Smithson, Iowa Ethics and Campaign Disclosure Board, 510 E. 12th Street, Suite 1A, Des Moines, Iowa 50319. Persons who wish to comment orally should contact Charlie Smithson at (515)281-3489.

This amendment is intended to implement Iowa Code section 68B.32D.

The following amendment is proposed.

Amend subrule 9.4(1) as follows:

9.4(1) *Action after hearing.* If it is determined after a contested case proceeding that a violation of statute or rule under the board's jurisdiction has occurred, the board may impose any of the actions set out in Iowa Code section 68B.32D, including as a remedial action the assessment of direct costs related to the hearing for printing, postage, long-distance telephone charges, witness fees, and compensation paid to the presiding officer.